

Order

Michigan Supreme Court
Lansing, Michigan

March 6, 2009

Marilyn Kelly,
Chief Justice

137298

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 137298
COA: 276690
Wayne CC: 06-005379-01

RAYMOND CRAIG JONES,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the August 12, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE in part the judgment of the Court of Appeals. The Court of Appeals clearly erred by holding that the defendant was entitled to a new trial as a result of the ineffective assistance of trial counsel for the reasons stated by Judge Wilder in his partial concurrence. *People v Jones*, unpublished opinion *per curiam* of the Court of Appeals, issued August 12, 2008 (Docket No. 276690), Slip Op at 2 (Wilder, J., concurring in part, and concurring in the judgment). We REMAND this case to the Court of Appeals for consideration of whether the midtrial amendment of the information entitles defendant to a new trial.

We do not retain jurisdiction.

KELLY, C.J., and CAVANAGH, J., would deny leave to appeal.



s0303

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 6, 2009

Corbin R. Davis

Clerk